

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

January 21, 2014 – 6:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
.....

Present: Jim Sides, Chairman
Craig Pierce, Vice-Chairman
Jon Barber, Member
Mike Caskey, Member
Chad Mitchell, Member

County Manager Gary Page, Clerk to the Board Carolyn Barger, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Sides convened the meeting at 6:00 p.m.

Chairman Sides provided the Invocation and also led the Pledge of Allegiance.

CONSIDER ADDITIONS TO THE AGENDA

- Commissioner Barber moved to add a discussion regarding the use of carbon monoxide at the animal shelter. The motion died for lack of second.
- Commissioner Pierce moved to add a request from the Finance Department to the Consent Agenda to approve the purchase of three (3) service vehicles. The motion was seconded by Commissioner Barber and passed unanimously.
- Commissioner Pierce moved, Commissioner Barber seconded and the vote to add budget amendments to the agenda passed unanimously.

Chairman Sides added the budget amendments as agenda item #4a.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Barber moved, Commissioner Pierce seconded and the vote to approve the agenda passed unanimously.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Pierce seconded and the vote to approve the minutes of the January 6, 2014 Commission Meeting passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Chairman Sides pulled Consent Agenda item D to the regular agenda for a vote. Chairman Sides placed the issue on the agenda as item #2a.

Commissioner Barber moved approval of the Consent Agenda with the removal of item D. The motion was seconded by Commissioner Pierce and passed unanimously.

The Consent Agenda consisted of the following:

- A. Permission to Apply for State Library Grant
- B. Approval to apply for Woodson Grant
- C. Set Quasi-judicial Hearing for CUP 01-12 for February 3, 2014
- D. Sale Agreement for Gildan Yarns (placed on the regular agenda as item #2a)
- E. Approval to Purchase Three Service Vehicles (this item was added to the Consent Agenda)

2. PUBLIC COMMENT PERIOD

Chairman Sides opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individuals came forward:

- John Lee Morrison, Fire Chief of West Rowan Volunteer Fire Department. And past president of the Fire and Rescue Association thanked the Board for its support of the communications project. Mr. Morrison praised the Board ofr the purchase of handheld radios, the new 911 Center, and the new EMS Station in western Rowan County.
- Laura Hyde spoke in opposition to the use of carbon monoxide at the Animal Shelter and provided the Board with hard copy of her comments.
- Terri Kindley spoke in opposition to the use of carbon monoxide at the Animal Shelter.
- Jane Phelps spoke in opposition to the use of carbon monoxide at the Animal Shelter.
- Randy Orloff spoke in opposition to the use of carbon monoxide at the Animal Shelter.
- Lisa Morgan spoke in opposition to the use of carbon monoxide at the Animal Shelter.

- Eva Geo-Rene Jones spoke regarding a strategic plan for West End Plaza. Ms. Jones encouraged the Board to cooperate with citizens and other elected leaders.

With no one else wishing to address the Board, Chairman Sides took a moment to address some of the concerns stated. Chairman Sides said he did not want to open the floor for any lengthy discussion as there were certain policies the Board followed when it came to public comment. Chairman Sides said the Board opened the floor during Public Comment Period to any person who wanted to speak. Chairman Sides went on to say that the Commissioners understood the issue regarding the use of carbon monoxide at the Animal Shelter. Chairman Sides explained there were some things going on behind the scenes to address the issue and he asked Commissioner Pierce to discuss some goals that would not necessarily satisfy every area, but would identify and hopefully resolve some of the issues.

Commissioner Pierce reiterated that comments concerning the Animal Shelter were not falling on deaf ears. Commissioner Pierce reported that through meetings with Animal Control, the County Manager, and other counties, plans were trying to be interpreted that would move towards a no kill shelter. Commissioner Pierce said such changes could not be handled in “one leap”. Commissioner Pierce, and unconventional avenues were being explored, such as turning over adoptions to a third party. Commissioner Pierce said this was something he felt needed to be done but that it could not be done quickly and he was working toward that goal. Commissioner Pierce thanked Commissioner Mitchell for his assistance to address some of the issues. Commissioner Pierce said the Board would work towards a no kill shelter.

Commissioner Barber requested to add comments and Chairman Sides reiterated that he was not opening floor for a lengthy discussion. Commissioner Barber then said, “Mr. Chairman, I am going to excuse myself” and he left the meeting.

2a. SALE AGREEMENT FOR GILDAN YARNS

(This item was pulled from the Consent Agenda).

Commissioner Pierce moved to accept the sale agreement for Gildan Yarns as presented by the Economic Development Commission. Commissioner Caskey seconded and the motion passed unanimously. (4-0; Commissioner Barber had left the meeting and was not present to cast a vote).

3. QUASI-JUDICIAL HEARING FOR CUP 08-13

Chairman Sides read the Chairman’s Speech (Exhibit A) and declared the public hearing for CUP 08-13 to be in session. Chairman Sides said the hearing would focus on an application submitted by Richard Knox for his property located at the

300 block of Carlyle Knox Road. The purpose of the application was to consider a 1,152 square foot residential storage facility on Tax Parcel 567-033.

The Clerk swore in those wishing to provide testimony in the case.

Senior Planner Shane Stewart presented the Staff Report (Exhibit B) and also provided a power point presentation (Exhibit C) as he discussed the application. Using the power point presentation (Exhibit C), Mr. Stewart showed the site in question as well as the surrounding areas.

Mr. Stewart provided the Board with suggested Findings of Fact (Exhibit D) to consider for approval of the request.

With no one else sworn to provide testimony in the case, Chairman Sides closed the public hearing.

Commissioner Pierce moved the development of the property in accordance with the proposed conditions will not materially endanger the public health or safety. FACT: This request complies with all eight (8) specific requirements identified in section 21-60 (10) for residential storage facilities.

FACT: The proposed storage building is subject to compliance with applicable building code standards.

The motion was seconded by Commissioner Mitchell and passed unanimously. (4-0; Commissioner Barber had left the meeting and was not present to cast a vote).

Commissioner Pierce moved that the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity. FACT: No material evidence was presented suggesting this request would injure property values.

The motion was seconded by Commissioner Mitchell and passed unanimously. (4-0; Commissioner Barber had left the meeting and was not present to cast a vote).

Commissioner Pierce moved that the location and character of the development in accordance with the proposed conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans. FACT: As evidenced by the accompanying map, surrounding properties are largely used as crop and pastureland with few residences.

FACT: The staff report indicates the proposed structure would be 1% of the total lot size compared to the allowable 10% for accessory structures on residentially developed lots.

FACT: The Western Rowan Land Use Plan is silent on this topic and therefore would not be in conflict with the plan.

The motion was seconded by Commissioner Mitchell and passed unanimously. (4-0; Commissioner Barber had left the meeting and was not present to cast a vote).

Commissioner Pierce moved to approve CUP 08-13 as presented. Commissioner Mitchell seconded and the motion passed unanimously. (4-0; Commissioner Barber had left the meeting and was not present to cast a vote).

4. COURTESY HEARING FOR INTENT TO CONSTRUCT A 911 EMERGENCY COMMUNICATIONS TOWER

Telecommunications Director Rob Robinson explained that the purpose of the courtesy hearing was to receive citizen comment regarding the County's intent to construct a 300 foot tower for 911 emergency communications at 3615 W. NC Highway 152 in China Grove, NC. Mr. Robinson said the site was further identified as Rowan County Tax Parcel 120-074 and was currently owned by the County and occupied by a Rowan County EMS Station. Mr. Robinson explained that staff had done its due diligence in seeking other tower vendors in the area for co-locating, but the cost would be well over \$1 million over thirty years. Mr. Robinson stated with the County owning the site, there was a possibility of gaining revenue in the future due to the ability to lease out of the some of the space.

In response to Commissioner Caskey, Mr. Robinson said staff had not been contacted by anyone regarding the proposed tower.

Commissioner Pierce asked if the funds would be spent "one way or the other." Mr. Robinson said yes and explained that either way the County would pay whether through leasing space or by erecting the tower.

Chairman Sides opened the courtesy hearing to receive comments from any citizens wishing to address the Board. The following individuals came forward:

- Mike Zimmerman, Fire Chief of Bostian Heights Volunteer Fire Department, spoke as a representative of the Telecommunications Advisory Board. Mr. Zimmerman said the Board voted unanimously to support the tower. Mr. Zimmerman went on to state that the completion of this tower minimize areas of poor transmission and reception in southern Rowan County for law enforcement, fire, EMS, and rescue units. Mr.

Zimmerman said he could attest to the improvement this site would provide for all emergency responders.

- Shawn Harrison stated he lived next door to the site in question. Mr. Harrison expressed concern with what could happen to his property value by the tower's location.

Commissioner Caskey said he was pleased to get the project going. Commissioner Caskey went on to reiterate that there were dead zones in the County and the tower would be very important to the safety of fire fighters and all those who used the radios.

With no one else wishing to address the Board, Chairman Sides closed the courtesy public hearing.

Commissioner Pierce moved to approve the construction of a 300 foot, 800 megahertz P25 radio tower on Rowan County Tax Parcel 120-174 and to include the budget amendment to pay for said tower. The motion was seconded by Commissioner Caskey and passed unanimously (4-0; Commissioner Barber had left the meeting and was not present to cast a vote).

4a. ADDITION

CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- Finance - Appropriate funds received for items purchased related to cleanup of Hazmat related accidents - \$1,063
- Finance – To budget Homeland Security Grant Program (HSGP) Training and Exercise Grant Funding for Emergency Services. The grant application was approved by the BOC January 6, 2014. The grant period is August 30, 2013 – August 31, 2015. The grant requires no local matching funds - \$10,000
- Finance – To appropriate fund balance and restricted sales tax held in reserve in excess of \$250,000 at June 30, 2013 for Rowan-Salisbury Schools' capital needs - \$160,141
- Finance – Appropriate funds received from insurance settlement of Sheriff vehicle involved in accident to allow ordering of replacement vehicle - \$20,190
- Sheriff's Office – Recognize excess revenue in state asset forfeiture fund and budget to accounts to allow for purchase of recent required radio equipment and officer equipment - \$62,841
- Sheriff's Office – Recognize excess revenue in state prisoners' revenue account and budget to Detention part-time salaries account. Increase in inmates has required additional part-time kitchen staff, and part-time budget was underfunded for Detention Center - \$13,561

- Social Services – Revise expenditures and revenues based on notification received in September regarding the grant award. In an effort to finalize FY 2014 allocations, Rowan's HCCBG Advisory Committee chose the across the board reductions versus making adjustments to services and allocations. There is a more than 50% chance that the September allocations will be further reduced by sequestration before the end of FY 2014 – \$3,534
- Social Services – Community Care of Southern Piedmont terminated their participation in grant funded Carolina Access position. Revenues were budgeted in this line item to reflect a full year of service. Amounts need to be amended to realign expenditures and the revenues - \$40,014
- Social Services – Appropriate donated revenues to the coordinating expense account in order to provide goods and services to clients - \$4,954
- Finance – To budget for West End Plaza operations, including sewer and partial roof repairs - \$500,000

Commissioner Pierce moved approval of the budget amendments as presented. The motion was seconded by Commissioner Mitchell and passed unanimously (4-0; Commissioner Barber had left the meeting and was not present to cast a vote).

ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 6:41 p.m. The motion was seconded by Commissioner Mitchell and passed unanimously (4-0; Commissioner Barber had left the meeting and was not present to cast a vote).

Respectfully Submitted,

Carolyn Barger, CMC, NCCCC
Clerk to the Board/
Assistant to the County Manager